

Serial No. 10/673,973
Art Unit 3721

Amendment A

Remarks:

Responsive to the Official Action mailed July 15, 2004 in which claims 1-4 were rejected, Applicant respectfully requests reconsideration, reexamination and allowance of claims 1-2 in view of the above amendments and the following remarks.

The Examiner has rejected claims 1-4 under 35 U.S.C. §103(a) as unpatentable over Shibazaki et al, U.S. Patent No. 5,442,899 in view of Willard et al., U.S. Patent No. 3,783,773. The Examiner has characterized Shibazaki as disclosing a strapping machine for positioning a strap around a load in which a chute is attached to a frame, a strap is guide around the chute and then the leading edge is welded to a second area of the strap by means of a strapping head and the strap is tightened and then sealed to itself. The Examiner, however, conceded that the Shibazaki fails to disclose the use of a roller set for in-feed and out-feed conveyors.

The Examiner, then cites to the Willard et al. patent, characterizing its disclosure as showing a banding machine in which an in-feed roller set conveys a package to a strapping head and an out-feed roller set conveys the banded package away from the strapping head. The Examiner concludes that it would have been obvious to one of skill in the art to add the in-feed and/or out-feed roller sets of Willard to the invention of Shibazaki to reduce the amount of work done by the operator in preparing packages for banding.

As to claims 2 and 4, the Examiner states that the use of hook/slot connectors to join machinery pieces to a frame is well known in the art and in everyday life and it would have been obvious to one of skill in the art to use hook/slot connectors to join the roller sets to the frame of the combination of Shibazaki and Willard to provide a secure and readily detachable method of connecting the machine parts so that it can be assembled/disassembled quickly for maintenance, etc.

Applicant has amended claim 1 to indicate that the present invention is directed to strapping having a frame, a chute mounted to the frame and configured for positioning the strap material around the load, a strap feed assembly configured to convey the strap material through the chute, a strapping head mounted to the frame, and a work surface at about a lowermost portion of the chute.

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The work surface is configured for infeeding the load to the strapping machine, positioning the load within the chute and outfeeding the load from the strapping machine following positioning, tensioning and sealing the strapping material. The work surface includes an in-feed roller set and an out-feed roller set (that is, both sets) mounted to the frame for pivoting to and from an operating position. In the operating position each roller set is about coplanar with a bottom of the strap chute at the work surface. Each roller set is secured to the frame in the operating position by an upwardly extending hook and slot assembly formed on the frame and the at least one roller set.

Applicant submits that the pivoting and locking or securing arrangements are not disclosed in the art of record. And, in fact, Applicant submits that even (for the sake of argument) taking the Examiner's well known configuration position at face value, there is nothing that would motivate one to make the roller sets pivotable, nor lock the roller sets in their respective positions using the claimed structure.

The Shibazaki patent shows a work surface that is stationary. There is nothing to suggest, motivate or teach a movable or removable surface. Likewise, the Willard patent shows a stationary, albeit roller formed, work surface. Again, *there is nothing to suggest that the work surface or roller sets should be movable, nonetheless pivotable*. To this end, it is Applicant's position that the Examiner has failed to: (1) show a movable or removable roller formed work surface; and (2) any connection, motivation, teaching or suggestion to use the claimed structure to provide the pivoting and locking or securing arrangements.

In summary, Applicant believes that the above amendments render claims 1-2 allowable over the art of record and respectfully and earnestly solicits early indication of same.

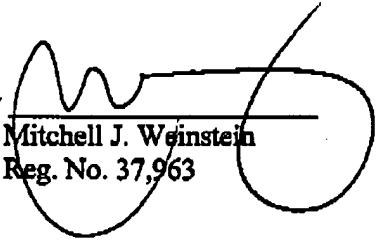
Applicant submits that no fee is due in connection with the present amendment. If, however, there is a fee due, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 23-0920.

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Should the Examiner believe that a telephone interview would expedite prosecution and allowance of the present application, or address any outstanding formal issues, he is respectfully requested to contact the undersigned.

Respectfully submitted,

By 
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